

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MICHEL RIDGELY
16920 Mattawoman Lane
Waldorf MD 20601
Plaintiff

v.

COMPLAINT

ELAINE CHAO, Secretary
U.S. Department of Labor
Defendant

NATURE OF THE CASE

1. This is an action brought by an employee, Michel Ridgely, against his present employer, the United States Department of Labor on the grounds that he was subjected to discrimination on the basis of his race, age, gender and reprisal for protected EEO activity.

2. By this action, Plaintiff seeks monetary relief in the form of lost wages, consequential and compensatory damages and attorney's fees.

JURISDICTION

3. Jurisdiction is conferred upon this Court under Title 7 of the 1964 Civil Rights Act through the 1972 amendments, 42 USC 2000 e - 16(a); the Age Discrimination

in Employment Act, 29 USC 633(a); the Civil Rights Act of 1991, 42 USC 1981 and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002.

4. All necessary conditions precedent to the filing of this action have been met by the Plaintiff in that he administratively filed two EEO complaints which are the basis for the lawsuit. One complaint was filed in July of 2000 and a final decision has not been issued. The second complaint was dismissed without an investigation by the Defendant. The dismissal was received by Plaintiff on February 24, 2005.

PARTIES

5. Plaintiff is a natural person who has been employed by the Defendant for over 30 years. He is presently employed by the Defendant as a GS12/4 Civil Penalty Compliance Specialist in the Defendant's Mine Safety and Health Administration, Arlington Virginia Office.

6. Defendant is an agency of the United States government. The national headquarters is located in Washington DC.

CLAIMS

7. In July of 2000, Plaintiff administratively filed an EEO complaint eventually designated by the Defendant as CRC 00 11 152. The claims are set forth in the documents filed therein and a report of investigation (ROI) was mailed to the Plaintiff on or about April 17, 2003. This claim is still pending before the Defendant's civil rights office in a status called supplemental investigation. The ROI verifies discrimination on the basis of race, gender and age.

8. On or about May 29, 2003 Plaintiff administratively filed another EEO complaint eventually designated by the Defendant as CRC 03 11 111. The claims are set forth in the documents filed therein. The papers submitted verify discrimination on the basis of race, gender, age and retaliation for the previous EEO filing. This claim was dismissed by the Defendant in a letter dated February 23, 2005.

9. By operation of law, all discriminatory conduct experienced by the Plaintiff after the filing of the 1st EEO complaint is included in this lawsuit. These acts are set forth in the documentary evidence submitted in support of

claims CRC 00 11 152 and 03 11 111. They include a harassment

claim (sexual and non-sexual) relating back to July 2000.

WHEREFORE, Plaintiff respectfully requests that this Court:

1. Find that the Defendant discriminated against the Plaintiff as stated above.

2. Award Plaintiff damages for loss of salary (front and back pay) and other benefits. Such damages exceed \$100,000; the precise amount to be determined at trial.

3. Award Plaintiff compensatory damages for the humiliation, damage to his reputation, mental and emotional distress that he has experienced as a result of the discriminatory conduct. Such damages exceed \$100,000; the precise amount to be determined at trial.

5. Award Plaintiff pre-judgment and post-judgment interest on all damages, to the maximum extent allowed by law.

6. Award Plaintiff reasonable costs and attorney's fees.

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7. Award Plaintiff punitive damages for all willful acts of discrimination.

8. Such other and further relief as the case may require.

MICHEL RIDGELY
By Counsel

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This 20th day of May, 2005